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Docket No.: 2328-053

JAN 13 2009

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tuqiang Ni *et al.*

U.S. Patent Application No. 09/821,753

Filed: March 30, 2001

Confirmation No. 5171

Group Art Unit: 1763

Examiner: Luz L. Alejandro Mulero

For: PLASMA PROCESSING METHOD AND APPARATUS WITH CONTROL OF  
PLASMA EXCITATION POWER

**RESPONSE TO NEW GROUND OF REJECTION  
AND REPLY TO EXAMINER'S ANSWER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. RESPONSE TO NEW GROUND OF REJECTION****A. Chao et al. does not render independent claims 47 and/or 59 obvious**

The new ground of rejection is under 35 USC 103(a), based on Chao et al.. The new rejection erroneously alleges Chao et al. discloses the requirement of independent claim 47 for gradually changing, on a pre-programmed basis, the amount of AC power

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I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE  
U.S. PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

Allan M. Lowe

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January 13, 2009

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(571) 273-8300

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